

Application No. 09/838,382
Amendment dated May 18, 2005
Reply to Advisory Action of May 2, 2005

REMARKS

1. Claims 3-16 were previously pending. Claims 3-13 were withdrawn from consideration by the Examiner, as being drawn to a non-elected invention. Claims 14 and 15 were allowed in the Office Actions dated June 15, 2004, November 24, 2004, and May 2, 2005. Claim 16 has been rejected. Claims 3-13 and 16 have been canceled.

Applicant hereby requests further examination and reconsideration of the application, in view of the amendments and remarks.

2. Claim 16 has been rejected under 35 U.S.C. 112, first paragraph.

Rejections of Claim 16 under 35 U.S.C. 112, first paragraph

3. The Examiner has rejected Claim 16 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

In view of the cancellation of Claim 16, it is respectfully requested that the rejection under 35 U.S.C. paragraph 112, first paragraph, written description, be withdrawn.

4. The Examiner has rejected Claim 16 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. This is a new matter rejection.

In view of the cancellation of Claim 16, it is respectfully requested that the rejection under 35 U.S.C. paragraph 112, first paragraph, written description, new matter, be

Application No. 09/838,382
Amendment dated May 18, 2005
Reply to Advisory Action of May 2, 2005

withdrawn.

CONCLUSION

In the event this paper is deemed not timely filed, the undersigned hereby petitions for an appropriate extension of time. Please charge any fees which may be required by this paper or at any time during prosecution of the instant application, or credit any overpayment, to deposit account 50-2134.

Applicants appreciate the Examiner's allowance of Claims 14 and 15. Withdrawn Claims 3-13 have been canceled. It is believed that all of the claims and the specification are in condition for allowance. Accordingly, it is respectfully requested that the rejections be withdrawn and that the instant application be allowed to issue. If any issues remain to be resolved, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

May 18, 2005
Date

Evelyn M. Rabin

Evelyn M. Rabin, Ph.D., Patent Advisor
Registration No. 44,480
USDA-ARS-OTT
5601 Sunnyside Ave., Rm. 4-1186
Beltsville, Maryland 20705-5131
Telephone: (301) 504-4781
Fax: (301) 504-5060